



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

Michael A. Herold

Serial No. 10/792,249

Filed: March 2, 2004

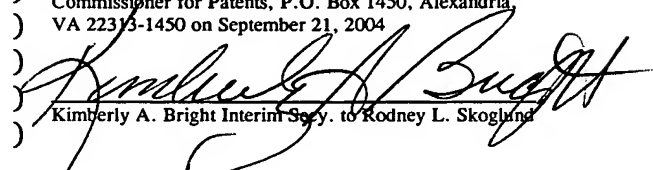
For: SIMULATED NEON-LIGHT TUBE

) Group Art Unit 2875

) Bertrand Zeade, Examiner

) CERTIFICATE OF MAILING

) I hereby certify that this correspondence was deposited
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) 
) Kimberly A. Bright Interim Sec'y. to Rodney L. Skoglund

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PATENTING REJECTION OVER A PRIOR PATENT**

Commissioner For Patents
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Sir:

Herold Design Group LLC, the owner of 100 percent interest in the subject patent application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,726,350. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a

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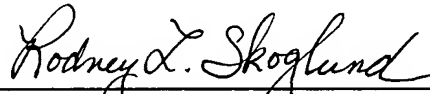
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record. The Terminal disclaimer fee under 37 C.F.R. 1.20(d) is included.



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September 21, 2004